

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVID E. KAPLAN, ROXY D. SULLIVAN,
LINDSEY RANKIN, MICHAEL S. ALLEN, GARY
W. MUENSTERMAN, and CHI-PIN HSU,
Individually and on Behalf of All Others Similarly
Situated,

Plaintiff,

vs.

S.A.C. CAPITAL ADVISORS, L.P., S.A.C.
CAPITAL ADVISORS, INC., CR INTRINSIC
INVESTORS, LLC, CR INTRINSIC
INVESTMENTS, LLC, S.A.C. CAPITAL
ADVISORS, LLC, S.A.C. CAPITAL ASSOCIATES,
LLC, S.A.C. INTERNATIONAL EQUITIES, LLC,
S.A.C. SELECT FUND, LLC, STEVEN A. COHEN,
MATHEW MARTOMA, and SIDNEY GILMAN,

Defendants.

This Document Relates to:

BIRMINGHAM RETIREMENT AND RELIEF
SYSTEM, Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

S.A.C. CAPITAL ADVISORS, LLC, S.A.C.
CAPITAL ASSOCIATES, LLC, S.A.C.
INTERNATIONAL EQUITIES, LLC, S.A.C
SELECT FUND, LLC, CR INTRINSIC
INVESTORS, LLC, STEVEN A. COHEN,
MATHEW MARTOMA, CR INTRINSIC
INVESTMENTS, LLC and SIDNEY GILMAN,

Defendants.

No. 1:12-cv-09350-VM

ORAL ARGUMENT REQUESTED

No. 1:13-cv-02459-VM

**THE INSTITUTIONAL INVESTOR GROUP'S MOTION FOR APPOINTMENT AS
LEAD PLAINTIFF AND FOR APPROVAL OF ITS SELECTION OF LEAD COUNSEL**

Plaintiff City of Birmingham Retirement and Relief System (“Birmingham Retirement System”) and putative class member KBC Asset Management NV (“KBC”) (collectively, the “Institutional Investor Group”), by and through their counsel, will, and hereby do, respectfully move this Court, on a date and at such time as may be designated by the Court, for an Order, submitted herewith: (a) appointing the Institutional Investor Group as lead plaintiff pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”), as amended by the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4, *et seq.*; and (b) approving the Institutional Investor Group’s selection of Scott+Scott, Attorneys at Law, LLP and Motley Rice LLC as lead counsel for the putative class pursuant to §21D(a)(3)(B)(v) of the Exchange Act, 15 U.S.C. §78u-4(a)(3)(B)(v).

This motion is supported by the accompanying Memorandum of Law; the Declaration of Joseph P. Guglielmo in support thereof, and the exhibits attached thereto; all of the prior pleadings and proceedings filed herein; and such other written and/or oral argument as may be presented to the Court.

DATED: New York, New York
September 20, 2013

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP

/s/ Joseph P. Guglielmo
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Counsel for Proposed Lead Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 20th day of September 2013, at New York, New York.

/s/ Joseph P. Guglielmo
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